

REMARKS

The Office Action has been reviewed and the Examiner's comments carefully considered. Claims 20, 24-25, 30, 32-33, and 39 are amended. Claims 40-51 are added. Claims 22-23, 26-29, and 34-35 are canceled. Thus, claims 20-21, 24-25, 30-33, and 36-51 are pending and are submitted for reconsideration.

The specification has been amended to correct a minor typographical error.

Rejection of claims 32-33 based on 112, first paragraph

Claims 32-33 are rejected under 35 U.S.C. 112, first paragraph, because "the transparent airbag" of claim 32 and "the transparent woven fabric insert" of claim 33 acting as reinforcement mechanisms do not appear to be supported and they are not described in the specification in such a way so as to be enabling. Claim 32 has been amended such that the transparent airbag acts as a restraining member, which is supported at page 6, lines 12-18, of the originally translated written description and Figs. 1A and 1B. Claim 33 has been amended such that the transparent woven fabric insert acts as a restraining member, which is supported at page 6a, line 1 to page 7, line 2, of the originally translated written description and Fig. 4. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claim 39 based on 112, second paragraph

Claims 39 is rejected under 35 U.S.C. 112, second paragraph, because "the first mentioned chamber" in line 2 lacks sufficient antecedent basis. Claim 39 has been amended so as to render this rejection moot. For at least this reason, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claims 20-24, 36, and 38 based on Naoyuki

Claims 20-24 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2000-264146 ("Naoyuki"). Claim 36 is rejected under U.S.C. 103(a) as being unpatentable over Naoyuki. These rejections are traversed because Naoyuki does not disclose or suggest the claimed invention.

For example, claim 1 (as amended) recites, among other things, a motor vehicle safety device comprising an airbag and a gas generator connected to the airbag. During inflation, the airbag is configured to lift at least a portion of the hood such that a section of the airbag can thereafter unfold onto an A-pillar and a lower portion of a windshield of the vehicle.

When unfolded, the airbag is configured to include a chamber located below the hood in the vicinity of one of the hinges of the hood, and a lateral end of the airbag, which is configured to cover the A-pillar, points upward. The airbag section, which is configured to unfold onto the A-pillar, is fixed by a restraining member to prevent lateral displacement, wherein the restraining member includes a pair of intercepting straps or tube-like airbags, and wherein the straps or tube-like airbags cross in a central portion of the vehicle.

Naoyuki does not teach or suggest this combination of features. For instance, Naoyuki merely discloses the use of a laceration prevention film 10, but does not teach a pair of intercepting straps or tube-like airbags or that the pair crosses in a central portion of the vehicle. Thus, Naoyuki does not teach or suggest all the features of claim 20, and the rejection should be withdrawn.

Claims 22-23 have been canceled, which renders the rejection of these claims moot.

Claims 21, 24, 36, and 38 depend from and contain all the features of claim 20, and are allowable for the reasons indicated above, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration and withdrawal of the rejections are respectfully requested.

Rejection of claims 25-28 and 30-31 based on Naoyuki and Takimoto

Claims 25-28 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki and EP 1350692 (“Takimoto”). This rejection is traversed because no combination of Naoyuki and Takimoto discloses or suggests the claimed invention.

Claims 25 and 30-31 depend from and contain all the features of claim 20. As previously mentioned, Naoyuki does not teach or suggest a pair of intercepting straps or tube-like airbags that cross in a central portion of the vehicle. Takimoto does not cure the deficiencies of Naoyuki because no straps of Takimoto cross in a central portion of the vehicle. Thus, no combination of Naoyuki and Takimoto teaches or suggests all the features of claim 20 and its dependent claims 25 and 30-31, and the rejection should be withdrawn.

Claims 26-28 have been canceled, which renders the rejection of these claims moot.

For at least these reasons, favorable reconsideration and withdrawal of the rejections are respectfully requested.

Rejection of claims 27 and 29 based on Naoyuki and Kikuchi

Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki and DE 10316828 (“Kikuchi”). Claims 27 and 29 have been canceled, which renders the rejection of these claims moot. For at least these reasons, favorable reconsideration and withdrawal of the rejections are respectfully requested.

Rejection of claims 34-35 based on Naoyuki and Miodek

Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki and JP 2003-182485 (Miodek”). Claims 34-35 have been canceled, which renders the rejection of these claims moot. For at least these reasons, favorable reconsideration and withdrawal of the rejections are respectfully requested.

Rejection of claim 37 based on Naoyuki and Ryan

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naoyuki and U.S. Patent 6,712,169 (“Ryan”). Claim 37 depends from and contains all the features of claim 20. As previously mentioned, Naoyuki does not teach or suggest a pair of intercepting straps or tube-like airbags that cross in a central portion of the vehicle. Ryan does not cure the deficiencies of Naoyuki. Thus, no combination of Naoyuki and Ryan teaches or suggests all the features of claim 20 and its dependent claim 37. For at least these reasons, favorable reconsideration and withdrawal of the rejections are respectfully requested.

Allowability of claims 40-51

Claim 40 recites, among other things, a motor vehicle safety device comprising an airbag and a gas generator connected to the airbag. The airbag section, which is configured to unfold onto the A-pillar, is fixed by a restraining member to prevent lateral displacement, wherein the restraining member includes a pair of tube-like airbags. None of the cited prior art teaches or suggest a pair of tube-like airbags.

Claims 41-50 depend from and contain all the features of claim 40, and are allowable for the reasons indicated above, without regard to the further patentable features contained therein.

Claim 51 recites, among other things, a motor vehicle safety device comprising at least one airbag which is arranged under an engine hood on a motor vehicle, is connected to at least one gas generator, unfolds to protect a pedestrian or cyclist who strikes the motor

vehicle and, in the process, initially lifts up the engine hood from the motor vehicle at least at a location of the unfolding of the airbag to such an extent that the airbag can unfold outwardly in a second phase. In an unfolded state, the airbag has in each case one chamber below the engine hood in a region of hinges of the engine hood and extends above the engine hood over the entire width of the motor vehicle in front of a lower region of a windshield and A pillars of the motor vehicle. Lateral ends of the air bag which cover the A pillars point upward after the unfolding of said airbag. Airbag sections which are unfolded in front of the A pillars of the motor vehicle are additionally fixed in order to prevent lateral displacement of said airbag sections. The airbag has tucks which divide the airbag between a part and chambers in which openings are formed between the part and the chambers, and a module housing which has the gas generator connected with the chambers below the tucks such that the chambers are first to unfold. None of the cited prior art teaches or suggests this combination of features including the tucks.

For at least these reasons, allowance of claims 40-51 are respectfully requested.

Conclusion

It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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